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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,815	07/09/2001	Lars Lannfelt	LANNFELTIA	9645
466	7590 06/10/2	14	EXAMINER	
YOUNG & THOMPSON			CHERNYSHEV, OLGA N	
	I 23RD STREET 2NI DN, VA 22202	FLOOR	ART UNIT	PAPER NUMBER
			1646	
			DATE MAILED: 06/10/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
Office Antique Communication	09/899,815	LANNFELT ET AL.			
Office Action Summary	Examiner	Art Unit			
	Olga N. Chernyshev	1646			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).					
Status					
 1) Responsive to communication(s) filed on <u>25 March 2004</u>. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i>, 1935 C.D. 11, 453 O.G. 213. 					
Disposition of Claims					
4) Claim(s) 24,27,32,33 and 39-43 is/are pending 4a) Of the above claim(s) is/are withdray 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 24,27,32,33 and 39-43 are subject to	wn from consideration.	ement.			
Application Papers					
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) accomposed and applicant may not request that any objection to the Replacement drawing sheet(s) including the correct	epted or b) objected to by the drawing(s) be held in abeyance. Serion is required if the drawing(s) is ob	e 37 CFR 1.85(a). njected to. See 37 CFR 1.121(d).			
Priority under 35 U.S.C. § 119					
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the prior application from the International Bureau * See the attached detailed Office action for a list	s have been received. s have been received in Applicati rity documents have been receive u (PCT Rule 17.2(a)).	ion No ed in this National Stage			
Attachment(s)	_				
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal F 6) Other:				

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 25, 2004 has been entered.

Response to Amendment

2. Claims 24, 27, 32, 33 have been amended and claims 39-43 have been added as requested in the amendment of Paper filed on March 25, 2004. Claims 24, 27, 32-33 and 39-43 are pending in the instant application.

Claims 24, 27, 32-33 and 39-43 are under examination in the instant office action.

Election/Restrictions

- 3. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 24, 39-43, drawn to a method of treatment of Alzheimer's disease by administration of a protofibril, classified in class 514, subclass 12, for example.
 - II. Claims 27 and 32-33, drawn to a method of treatment of Alzheimer's disease by administration of an antibody, classified in class 424, subclass 130.1, for example.

The inventions are distinct, each from the other because of the following reasons:

4. Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different

functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different

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inventions are directed to different methods that recite structurally and functionally distinct

elements, are not required one for the other, and therefore constitute patentably distinct

inventions.

5. Because these inventions are distinct for the reasons given above and have acquired a

separate status in the art as shown by their different classification, recognized divergent subject

matter and non-coextensive literature searches, restriction for examination purposes as indicated

is proper.

6. Applicant is advised that the reply to this requirement to be complete must include an

election of the invention to be examined even though the requirement be traversed (37 CFR

1.143).

7. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the

inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the

currently named inventors is no longer an inventor of at least one claim remaining in the

application. Any amendment of inventorship must be accompanied by a request under 37 CFR

1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Olga N. Chernyshev whose telephone number is (571) 272-0870.

The examiner can normally be reached on Monday to Friday 9 AM to 5 PM ET.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Kunz can be reached on (571) 272-0887. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Certain papers related to this application may be submitted to Technology Center 1600 by facsimile transmission. Papers should be faxed to Technology Center 1600 via the PTO Fax center located in Crystal Mall 1 (CM1). The faxing of such papers must conform with the notices published in the Official Gazette, 1156 OG 61 (November 16, 1993) and 1157 OG 94 (December 28, 1993) (see 37 C.F.R. § 1.6(d)0. NOTE: If Applicant *does* submit a paper by fax, the original signed copy should be retained by Applicant or Applicant's representative. NO DUPLICATE COPIES SHOULD BE SUBMITTED so as to avoid the processing of duplicate papers.

Official papers filed by fax should be directed to (703) 872-9306. If this number is out of service, please call the Group receptionist for an alternative number. Faxed draft or informal communications with the examiner should be directed to (571) 273-0870. Official papers should NOT be faxed to (571) 273-0870.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Olga N. Chernyshev, Ph.D.

OLGA N. CHERNYSHEV, PH.D.
PATENT EXAMINER